

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Charlotte Division**

In re:

**Mewa Singh Mundi and
Kamaljeet Kaur Mundi,**

Debtors.

Case Number: 22-30304

Chapter 7

**TRUSTEE’S MOTION (1) TO ABANDON REAL PROPERTY, AND
(2) FOR AUTHORITY TO TRANSFER TITLE BACK TO PRIOR OWNER IN
ACCORDANCE WITH WITHDRAWAL OF TRUSTEE’S
MOTION FOR AUTHORITY TO SELL REAL PROPERTY**

A. Cotten Wright, the duly appointed chapter 7 trustee (the “Trustee”) in this case, hereby brings this *Trustee’s Motion (1) to Abandon Real Property, and (2) for Authority to Transfer Title Back to Prior Owner in Accordance with Withdrawal of Trustee’s Motion for Authority to Sell Real Property* (this “Motion”), through counsel, and respectfully shows the Court as follows:

1. On July 7, 2022 (the “Petition Date”), the debtors (the “Debtors”) filed a voluntary petition for relief pursuant to chapter 7 of the United States Bankruptcy Code.
2. The Court thereafter appointed the Trustee.
3. After discovering that Debtors had transferred real property described as Lot 20, Block 3, Saddle Creek Forest Section One, located in Waller County, Texas (the “Real Property”) to their son prior to the Petition Date, the Trustee requested that a reputable Texas real estate broker obtain a title search with regard to the Real Property (“Initial Title Search”) to assess whether there was value in the Real Property for the bankruptcy estate.
4. The Initial Title Search did not reveal any judgment liens affecting the Real Property.

5. On September 13, 2022, the Court entered a *Consent Order Regarding Certain Real Property in Texas* (Doc. No. 27), pursuant to which, the Debtors' son transferred title to the Real Property to the Trustee in anticipation of the Trustee's sale of that property.

6. Thereafter, Trustee retained the broker to market and sell the Real Property (Doc. No. 36), and entered into a conditional contract to sell the Real Property.

7. On October 31, 2022, the Trustee filed her *Trustee's Motion for Authority to Sell Real Property* (the "Sale Motion") (Doc. No. 41) requesting authority to liquidate the Real Property for the benefit of the bankruptcy estate.

8. Leading up to the closing of the sale of the Real Property, a second title company reported a \$3,782,787 judgment in favor of Presidential Bank, FSB against the Debtors, which encumbers the Real Property.

9. Because there is no equity in the Real Property, the Trustee has determined that the Sale Motion must be withdrawn, and that the Real Property should be abandoned as an estate asset and deeded back to the Debtors' son.

10. The Sale Motion was withdrawn on November 29, 2022 (Doc. No. 45).

WHEREFORE, the Trustee prays that the Court will enter an Order:

- 1) Granting this Motion;
- 2) Providing that the Real Property is abandoned as property of the estate;
- 3) Authorizing the Trustee to deed the Real Property back to the Debtors' son; and
- 4) Granting such further relief as is just and proper.

This is the 29th day of November, 2022.

/s/ Anna S. Gorman

Anna S. Gorman (State Bar No. 20987)

A. Cotten Wright (State Bar No. 28162)

Grier Wright Martinez, PA

Attorneys for the Trustee

521 E Morehead Street, Suite 440

Charlotte, NC 28202

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NOTICE OF OPPORTUNITY FOR HEARING

TAKE NOTICE that the Trustee in this case has filed papers with the court requesting entry of an Order allowing her to abandon any interest in real property identified as Lot 20, Block 3, Saddle Creek Forest Section One, located in Waller County, Texas (the “Property”), captioned as the *Trustee’s Motion (1) to Abandon Real Property, and (2) for Authority to Transfer Title Back to Prior Owner in Accordance with Withdrawal of Trustee’s Motion for Authority to Sell Real Property* (the “Motion”). The Trustee has determined that the Property has no value for the bankruptcy estate due to existing liens and that it is burdensome to the estate.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the Motion or if you want the Court to consider your views on the Motion, then on or before **fourteen (14) days of the filing of this notice, you or your attorney must do three (3) things:**

1. File a written response with the court requesting that the court hold a hearing and explaining your position. File the response at:

U.S. Bankruptcy Court
401 West Trade Street, Suite 2500
Charlotte, NC 28202

If you mail your request to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

2. On or before the date stated above for written responses, you must also mail or fax a copy of your written request to:

A. Cotten Wright, Trustee
Grier Wright Martinez
521 E. Morehead St., Ste. 440
Charlotte, NC 28202
Fax: (704) 332-0215

3. Attend the hearing scheduled for January 9, 2023 at 9:30 a.m. in Bankruptcy Courtroom 2B, U.S. Courthouse, 401 West Trade Street, Charlotte, NC.

If you or your attorney do not take these steps, **A HEARING WILL NOT BE HELD**, and the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

This the 29th day of November, 2022.

/s/ Anna S. Gorman
Anna S. Gorman (NC State Bar #: 20987)
Grier Wright Martinez, PA
521 E. Morehead St., Ste 440
Charlotte, NC 28202
(704)332-0207 - Telephone
(704)332-0215 - Fax
agorman@grierlaw.com - E-mail Address

Attorneys for the Trustee

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that copies of the *Trustee's Motion (1) to Abandon Real Property, and (2) for Authority to Transfer Title Back to Prior Owner in Accordance with Withdrawal of Trustee's Motion for Authority to Sell Real Property* was served on the parties who have requested notice in this case through the Court's electronic filing system as well as on the party below, and that the *Notice of Opportunity for Hearing* was served on those parties whose names and addresses appear on the attached mailing list by U.S. mail, postage pre-paid.

This is the 29th day of November, 2022.

/s/ Anna S. Gorman

Grier Wright Martinez, PA
521 E. Morehead St., Ste. 440
Charlotte, NC 28202

Label Matrix for local noticing
0419-3
Case 22-30304
Western District of North Carolina
Charlotte
Tue Nov 29 12:19:00 EST 2022

American Airlines AAdvantage
PO Box 13337
Philadelphia PA 19101-3337

Ashley Funding Services, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Bank of America Corporation
c/o Registered Agent: CT Corporation Sys
160 Mine Lake Court, Ste 200
Raleigh, NC 27615-6417

Bank of America, N.A.
PO Box 673033
DALLAS, TX 75267-3033

Belk
PO Box 530940
Atlanta GA 30353-0940

Daniel C. Bruton
BELL, DAVIS & PITT, P.A.
100 N. Cherry Street, Suite 600
Post Office Box 21029
Winston-Salem, NC 27120-1029

CBE Group
PO Box 300
Waterloo IA 50704-0300

CSMC 2018-SP2 Trust
P.O. Box 65250
Salt Lake City, UT 84165-0250

Daniel C. Bruton
Bell Davis & Pitt, PA
100 N. Cherry Street
Winston-Salem, NC 27101-4016

Discover Bank
c/o Smith Debnam Narron Drake
Saintsing & Myers, LLP
PO Box 26268
Raleigh, NC 27611-6268

Discover Card Services
c/o Registered Agent: CT Corporation Sys
160 Mine Lake Court, Suite 200
Raleigh, NC 27615-6417

John W. Fletcher III
Henderson Nystrom Fletcher & Tydings
831 East Morehead Street
Suite 255
Charlotte, NC 28202-2773

Anna S. Gorman
Grier Wright Martinez, PA
521 E. Morehead St.
Suite 440
Charlotte, NC 28202-2623

Internal Revenue Service
P O Box 7346
Philadelphia, PA 19101-7346

Internal Revenue Service
P.O. Box 7317
Philadelphia, PA 19101-7317

Mecklenburg County Sheriff's Office
700 E. 4th Street
Charlotte, NC 28202-2886

Kamaljeet Kaur Mundi
10520 Old Wayside Road
Charlotte, NC 28277-1413

Mewa Singh Mundi
10520 Old Wayside Road
Charlotte, NC 28277-1413

North Carolina Department of Revenue
Bankruptcy Unit
P O Box 1168
Raleigh, NC 27602-1168

PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

Presidential Bank
4250 East-West Highway
Bethesda, MD 20815

Presidential Bank
c/o Attorney Adam Duke
Bell, Davis & Pitt
227 W. Trade Street, Suite 1800
Charlotte NC 28202-2665

Presidential Bank, FSB
c/o Daniel C. Bruton
Bell, Davis & Pitt, PA
PO Box 21029
Winston-Salem, NC 27120-1029

Presidential Bank, FSB
Attn: Peggy Dean, Vice President
4600 East West Highway, Suite 400
Bethesda, MD 20814-3408

Select Portfolio Servicing, Inc.
c/o Registered Agent: Corporation Servic
2626 Glenwood Avenue, Suite 550
Raleigh, NC 27608-1370

Specialized Loan Services
15720 Brixham Hill Avenue #300
Charlotte, NC 28277-4784

State of South Carolina
Department of Revenue
PO Box 2535
Columbia SC 29202-2535

(p)T MOBILE
C O AMERICAN INFOSOURCE LP
4515 N SANTA FE AVE
OKLAHOMA CITY OK 73118-7901

Truist Bank
c/o Registered Agent: Corporation Servic
2626 Glenwood Avenue Suite 550
Raleigh, NC 27608-1370

Truist Bank f/k/a Branch Banking & Trust
c/o Rogers Townsend & Thomas, P.C.
2550 W. Tyvola Road, Suite 520
Charlotte, NC 28217-4551

Truist Bank f/k/a Suntrust Bank
c/o Registered Agent: Corporation Servic
2626 Glenwood Avenue Suite 550
Raleigh, NC 27608-1370

U.S. Bankruptcy Administrator Office
402 W. Trade Street
Suite 200
Charlotte, NC 28202-1673 *ecf*

United States Attorney
227 West Trade Street
Carillon Bldg, Suite 1700
Charlotte, NC 28202-1675

United States Government
Department of the Treasury
PO Box 830794
Birmingham AL 35283-0794

Andrew Lawrence Vining
LOGS Legal Group, LLP
10130 Perimeter Parkway
Ste 400
Charlotte, NC 28216-0034 *ecf*

John C. Woodman
Essex Richards
1701 South Boulevard
Charlotte, NC 28203-4727 *ecf*

Anna Cotten Wright
Grier Wright Martinez, PA
521 E Morehead Street
Suite 440
Charlotte, NC 28202-2623 *ecf*

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

T-Mobile
PO Box 742596
Cincinnati OH 45274

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Michael D. Crane

(u)Middlesworth Bowers & Company

(d)North Carolina Department of Revenue
Bankruptcy Unit
P.O. Box 1168
Raleigh, NC 27602-1168

(u)Select Portfolio Servicing, Inc. as servic

(u)Specialized Loan Servicing LLC, servicing

(d)Anna Cotten Wright
Grier Wright Martinez, PA
521 E Morehead Street
Suite 440
Charlotte, NC 28202-2623

End of Label Matrix
Mailable recipients 37
Bypassed recipients 6
Total 43